



Docket No.: 04046/0201139-US0  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent No.:  
5,980,071

Serial No.: 09/012,362

Filed: January 23, 1998

Issue Date: November 9, 1999

Art Unit: 2875

For: LIGHTING FITTING

Examiner: Laura K. Tso

**PETITION UNDER 37 C.F.R. §1.324 TO CORRECT INVENTORSHIP**  
**OF AN ISSUED PATENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This is a petition to correct inventorship of the above identified patent.

At the time of filing and issuance of the above identified patent, Duan-Cheng Hsieh was named as the inventor.

Through inadvertent error and without deceptive intent on the part of the applicant, Lee Schaak was not named as an inventor.

This petition is accompanied by statements from Mr. Schaak, Mr. Hsieh, and the assignee, a statement under 37 CFR §3.37(b), copies of the Assignments and Recordation sheets, a Declaration and Power of Attorney for Mr. Schaak, a change of correspondence address, as well as the fee set forth in §1.20(b).

04/30/2004 AWONDAF1 00000004 09012362

01 FC:1460

**130.00 OP**

{W:\04046\0201139us0\00164767.DOC 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 }

For the foregoing reasons, the petition to correct inventorship should be granted.

Dated: April 26, 2004

Respectfully submitted,

By- 

Alphonso A. Collins

Registration No.: 43,559

DARBY & DARBY P.C.

P.O. Box 5257

New York, New York 10150-5257

(212) 527-7700

(212) 753-6237 (Fax)

Attorneys/Agents For Applicant

B



Docket No.: 04046/0201139-US0  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent No.:  
5,980,071

Serial No.: 09/012,362

Filed: January 23, 1998

Issue Date: November 9, 1999

Art Unit: 2875

For: LIGHTING FITTING

Examiner:

**STATEMENT OF LEE SCHAAK UNDER 37 C.F.R. §1.324(b)(1)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

I, LEE SCHAAK, declare and state that:

1. I was not named as an original inventor at the time an application for the above-identified patent was filed in the United States Patent and Trademark Office.

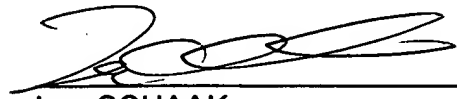
2. I am an actual inventor of the invention claimed in this patent, and I was not named as an inventor through an error without any deceptive intent on my part.

Serial No. 09/012,362

Docket No.: 04046/0201139-US0

3. I reside at 21 Penn Plaza, Suite 909, New York, NY 10011.

Date: 7/15/09

  
Lee SCHAAK

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Docket No.: 04046/0201139-US0  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent No:  
5,980,071

Serial No.: 09/012,362

Filed: January 23, 1998

Issue Date: November 9, 1999

Art Unit: 2875

For: LIGHTING FITTING

Examiner: Laura K. Tso

**STATEMENT OF DUAN-CHENG HSIEH UNDER 37 C.F.R. '1.324(B)(1)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

I, DUAN-CHENG HSIEH, declare and state that:

1. I was named as the original inventor at the time an application for the above-identified patent was filed in the United States Patent and Trademark Office.

2. I am an actual inventor of the invention claimed in this patent, and I agree to the change of inventorship to add Lee SCHAAK as an inventor of the above-identified patent.

3. I reside at 2F, No. 21, Lane 78, Huai-Te Street, Pei-Tou district, Taipei, Taiwan.

Date: \_\_\_\_\_

4/15/2009

  
Duan-Cheng HSIEH



D



Docket No.: 04046/0201139-US0  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent No.  
5,980,071

Serial No.: 09/012,362

Filed: January 23, 1998

Issue Date: November 9, 1999

Art Unit: 2875

For: LIGHTING FITTING

Examiner: Laura K. Tso

**CONSENT OF ASSIGNEE FOR THE CORRECTION OF INVENTORSHIP**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

On behalf of the named Assignee of all rights to the above-identified application, Adesso, Inc., New York, New York, by the undersigned Managing Officer/Agent, hereby consents to the correction of inventorship to include as named co-inventor:

Lee Schaak, 21 Penn Plaza, Suite 909, New York, NY, 10011.

Adesso, Inc.

Dated: 4/15/04

By: 

Name: Lee Schaak  
Title: Chairman

E



PTO/SB/96 (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**STATEMENT UNDER 37 CFR 3.73(b)**Applicant/Patent Owner: Duan-Cheng HsiehApplication No./Patent No.: 09/012,362Issue Date: November 9, 1999Entitled: LIGHTING FITTINGAdesso, Inc.

(Name of Assignee)

, a

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or2. ☐ an assignee of less than the entire right, title and interest.

The extent (by percentage) of its ownership interest is \_\_\_\_\_ %

in the patent application/patent identified above by virtue of either:

A. [ ] An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_ , Frame \_\_\_\_\_ , or for which a copy thereof is attached.

**OR**

B. [X] A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: Habitex To: Adesso, inc.

The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_ , Frame \_\_\_\_\_ , or for which a copy thereof is attached.

2. From: Duan-Cheng Hsieh To: Adesso, Inc.

The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_ , Frame \_\_\_\_\_ , or for which a copy thereof is attached.

3. From: Lee Schaak To: Adesso, Inc.

The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_ , Frame \_\_\_\_\_ , or for which a copy thereof is attached.

[ ] Additional documents in the chain of title are listed on a supplemental sheet.

[ ] Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

April 26, 2004

Date

212.836.3726

Telephone Number

Alphonso A. Collins #43,559

Typed or printed name

Signature

Attorney of Record

Title

F



## AGREEMENT

This Agreement is entered into between Lee Schaak, a citizen of the United States of America, residing in New York, New York ("Schaak") and Adesso, Inc., a New York corporation with its principal place of business in New York, New York ("Adesso");

WHEREAS, Schaak is entitled to be a joint or sole inventor or joint or sole owner of the entire right, title and interest in and to the following United States patents:

U.S. Patent No. 5,980,071  
Filed: January 23, 1998  
Issued: November 9, 1999  
Entitled: "Lighting Fitting"

U.S. Patent No. 6,004,012  
Filed: March 13, 1998  
Issued: December 21, 1999  
Entitled: "Lighting Fitting"

U.S. Patent No. 6,062,712  
Filed: July 28, 1999  
Issued: May 16, 2000  
Entitled: "Lighting Fitting"

U.S. Patent No. 6,203,178 B1  
Filed: June 30, 1999  
Issued: March 20, 2001  
Entitled: "Lighting Fitting"

and the inventions described therein, and any applications for patents which may be or may have been filed anywhere in the world relating to the inventions described therein and any patents that may issue from any of such applications or from any divisions, continuations, continuations-in-part, improvements, reissues, reexaminations, substitutes, additions and extensions which may have been or may be made, filed or granted on any of such applications, being collectively referred to as the "Subject Patent Rights";

WHEREAS, Adesso is desirous of acquiring all of Schaak's right, title and interest in and to the Subject Patent Rights; and

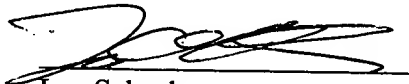
NOW, in consideration of the foregoing:

1. Schaak warrants and represents that he has not sold, assigned, conveyed, transferred or otherwise disposed of any interest in, or claims to, or causes of action relating to, the Subject Patent Rights.
2. Schaak further warrants and represents that no person or entity other than Adesso has any claim to his interest in the Subject Patent Rights.
3. Schaak does hereby agree to assign to Adesso all right, title and interest that he now has or may have in the future in and to the Subject Patent Rights as a joint or sole inventor or

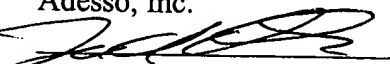
sole owner, to be held and enjoyed by Adesso to the full end of the term for which such patents may be granted, as fully and entirely as the same would have been held and enjoyed by Schaak if the assignment and sale had not been made.

4. Schaak agrees to authorize and request the Commissioner of Patents and Trademarks to issue any of the above patents to Adesso.
5. Schaak will cooperate fully and entirely in any actions or proceedings relating to establishing Schaak's inventorship of the Subject Patent Rights, including, but not limited to filing necessary submissions for correction of inventorship with the United States Patent and Trademark Office and any litigation relating thereto.
6. Schaak agrees to sign and execute any further documents or instruments relating to the Subject Patent Rights, including but not limited to those necessary for the prosecution of any patents or patent applications or the preparation and prosecution of any continuing, continuation-in-part, substitute, divisional, renewal, reexamination or reissue applications, or in any amendment, extension, or interference proceedings, or the security of the title thereto in Adesso.
7. Schaak agrees to communicate to Adesso, its successors, assigns, nominees or other legal representatives, all facts known to Schaak respecting the Subject Patent Rights, whenever requested, and to deliver to Adesso upon request all documents and materials in Schaak's possession, custody or control evidencing the conception, construction, testing and reduction to practice (and all steps leading up to such reduction to practice) of each invention included in the Subject Patent Rights.
8. Schaak agrees to do all lawful acts necessary or desirable to evidence and to secure to Adesso, the title to and full benefit of all rights agreed upon herein to be assigned.
9. This Agreement shall be construed according to the laws of the State of New York.
10. This writing memorializes the entire agreement between Adesso and Schaak on the matters enumerated herein. This writing expressly supersedes any prior or contemporaneous understandings, representations or drafts, oral or written, concerning the subject matter that may exist or may have existed. Adesso and Schaak further agree that this written Agreement shall not be subsequently modified except by written instrument signed by Adesso.
11. Schaak agrees and acknowledges that he willingly enters into this Agreement and that he fully understands and voluntarily accepts the terms and provisions of this Agreement and the consequences thereof.

Dated: 1/27/03

  
Lee Schaak

Dated: 1/27/03

Adesso, Inc.  
By: 

**PATENT ASSIGNMENT**

**DUAN-CHENG HSIEH**, a resident of Taipei, Taiwan, residing at 2F, No. 21, Lane 78, Huai-Te St., Pei-Tou dist., Taipei, Taiwan (hereinafter called "ASSIGNOR") in consideration of five dollars (\$5.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged as having been provided to ASSIGNOR by **ADESSO, INC.**, a company incorporated under the laws of the State of New York and having a principal place of business at New York, New York (hereinafter called "ASSIGNEE"), does hereby sell and assign to the said ASSIGNEE, its successors, assigns and legal representatives, all their right, title and interest, throughout the world, in and to the inventions described, claimed and specified on Schedule A annexed hereto, including all right, title and interest in and to: all substitutions, divisions, and continuations of the patent applications specified thereon; all patents specified thereon and all extensions, renewals, reissues and reexaminations thereof; and any utility models or designs shown or described in the documents specified in Schedule A annexed hereto.

ASSIGNOR hereby consents that a copy of this assignment shall be deemed a full legal and formal equivalent of any document which may be required in any country in proof of the right of ASSIGNEE to apply for patent or other form of protection for said inventions and to claim the aforesaid benefit of the right of priority.

ASSIGNOR requests that any and all patents for said inventions be issued to ASSIGNEE in the United States and in all countries foreign to the United States, or to such nominees as ASSIGNEE may designate.

ASSIGNOR shall, when requested, and without charge to ASSIGNEE for any time involved (except that ASSIGNEE shall reimburse ASSIGNOR for any substantiated expenses or disbursements associated with said request), sign all papers, and do all acts which may be necessary, desirable or convenient in connection with said applications, patents, or other forms of protection, including but not limited to papers required in connection with the prosecution of any continuing, continuation-in-part, substitute, divisional, renewal or reissue applications, or in any amendment, extension, or interference proceeding, or to otherwise to secure the title in ASSIGNEE;



IN TESTIMONY WHEREOF, ASSIGNOR has hereunto set his hand and seal this  
\_\_\_\_ 30 \_\_\_\_ day of \_\_\_\_ SEPTEMBER \_\_\_\_, 2002.

BY:

DUAN-CHENG HSIEH

STATE OF

COUNTY OF

) ss.

BE IT REMEMBERED, That on this \_\_\_\_\_ day of \_\_\_\_\_, 2002, before  
me, a Notary Public, personally appeared \_\_\_\_\_, who I am satisfied is the  
person named in and who executed the foregoing instrument in my presence, and I having first made  
known to him the contents thereof, he did acknowledge that he signed, sealed, and delivered the  
same as his voluntary act and deed for the uses and purposes therein expressed.

ACKNOWLEDGED AND ACCEPTED:

ADESSO, INC.

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

#### SCHEDULE A

United States Patents

5,980,071  
6,004,012  
6,062,712  
6,203,178 B1

**PATENT ASSIGNMENT**

**HABITEX CORPORATION**, a corporation organized and existing under the laws of Taiwan, located at Tapei, Taiwan, Republic of China (hereinafter called "ASSIGNOR") in consideration of five dollars (\$5.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged as having been provided to ASSIGNOR by **ADESSO, INC.**, a company incorporated under the laws of the State of New York and having a principal place of business at New York, New York (hereinafter called "ASSIGNEE"), does hereby sell and assign to the said ASSIGNEE, its successors, assigns and legal representatives, all their right, title and interest, throughout the world, in and to the inventions described, claimed and specified on Schedule A annexed hereto, including all right, title and interest in and to: all substitutions, divisions, and continuations of the patent applications specified thereon; all patents specified thereon and all extensions, renewals, reissues and reexaminations thereof; and any utility models or designs shown or described in the documents specified in Schedule A annexed hereto.

ASSIGNOR hereby consents that a copy of this assignment shall be deemed a full legal and formal equivalent of any document which may be required in any country in proof of the right of ASSIGNEE to apply for patent or other form of protection for said inventions and to claim the aforesaid benefit of the right of priority.

ASSIGNOR requests that any and all patents for said inventions be issued to ASSIGNEE in the United States and in all countries foreign to the United States, or to such nominees as ASSIGNEE may designate.

ASSIGNOR shall, when requested, and without charge to ASSIGNEE for any time involved (except that ASSIGNEE shall reimburse ASSIGNOR for any substantiated expenses or disbursements associated with said request), sign all papers, and do all acts which may be necessary, desirable or convenient in connection with said applications, patents, or other forms of protection, including but not limited to papers required in connection with the prosecution of any continuing, continuation-in-part, substitute, divisional, renewal or reissue applications, or in any amendment, extension, or interference proceeding, or to otherwise to secure the title in ASSIGNEE;

IN TESTIMONY WHEREOF, ASSIGNOR has hereunto set his hand and seal this  
20 day of SEPTEMBER, 2002.

BY:

HABITEX CORPORATION

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

STATE OF )  
COUNTY OF ) ss.  
)

BE IT REMEMBERED, That on this \_\_\_\_\_ day of \_\_\_\_\_, 2002, before me, a Notary Public, personally appeared \_\_\_\_\_, who I am satisfied is the person named in and who executed the foregoing instrument in my presence, and I having first made known to him the contents thereof, he did acknowledge that he signed, sealed, and delivered the same as his voluntary act and deed for the uses and purposes therein expressed.

ACKNOWLEDGED AND ACCEPTED:

ADESSO, INC.

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

**SCHEDULE A**

United States Patents

5,980,071

6,004,012

6,062,712

6,203,178 B1

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**DECLARATION AND POWER OF ATTORNEY**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am an original, first and joint inventor of the subject matter which is described and claimed and for which a patent is sought on the invention entitled:

LIGHTING FITTING

the specification of which was filed on January 23, 1998 as Application No. 09/012,362.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by an amendment, if any, specifically referred to herein. I do not know and do not believe that the same was ever known or used in the United States of America before my or our invention thereof or patented or described in any printed publication in any country before my or our invention thereof, or more than one year prior to this application, or in public use or on sale in the United States of America more than one year prior to this application, that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigned more than twelve months prior to this application.

I acknowledge the duty to disclose all information known to me that is material to patentability in accordance with Title 37, Code of Federal Regulations, § 1.56.

FOREIGN PRIORITY CLAIM

I hereby claim foreign priority benefits under Title 35, United States Code § 119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

☒ no such foreign applications have been filed

☐ such foreign application have been filed as follows:

**EARLIEST FOREIGN APPLICATION(S), IF ANY FILED WITHIN 12 MONTHS  
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION**

Application Number	Country	Date of Filing	Priority Claimed Under 35 USC 119
			___ Yes No ___
			___ Yes No ___
			___ Yes No ___

**ALL FOREIGN APPLICATION(S), IF ANY FILED MORE THAN 12 MONTHS  
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION**

Application Number	Country	Date of Filing

**CLAIM FOR BENEFIT OF EARLIER U.S. PROVISIONAL APPLICATIONS**

I hereby claim priority benefits under Title 35, United States Code §119(e), of any United States provisional patent application(s) listed below:

☒ no such U.S. provisional applications have been filed.

☐ such U.S. provisional application have been filed as follows:

Application Number	Date of Filing	Priority Claimed Under 35 USC 119
		___ Yes No ___
		___ Yes No ___
		___ Yes No ___

**CLAIM FOR BENEFIT OF EARLIER U.S./PCT APPLICATION(S)**

I hereby claim the benefit under Title 35, United States Code, §120 of the United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose all

information that is material to patentability in accordance with Title 37, Code of Federal Regulations, §1.56 which became available to me between the filing date of the prior application and the national or PCT international filing date of this application:

☒ no such U.S./PCT applications have been filed.

☐ such U.S./PCT application have been filed as follows:

Application Number	Date of Filing	Status (Patented/Pending/Abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

I hereby appoint the practitioners under Customer Number

07278


jointly, and each of them severally, my attorneys at law/patent agent(s), with full power of substitution, delegation and revocation, to prosecute this application, to make alterations and amendments therein, to receive the patent, and to transact all business in the U. S. Patent and Trademark Office connected therewith.

Please mail all correspondence to Alphonso A. Collins, whose address is:

**Darby & Darby P.C.**  
P.O. Box 5257  
New York, New York 10150-5257

Please direct telephone calls to: Alphonso A. Collins at 212.836-3726.

Please direct facsimiles to: 212.753.6237

Full name of inventor Lee SCHAAK	
Inventor's signature 	Date 4-15-04
Residence 21 Penn Plaza, Suite 909, New York, New York 10011	
Citizenship	
Mailing Address	

Full name of second inventor, if any	
Second inventor's signature	Date
Residence	
Citizenship	
Mailing Address	

Full name of third inventor, if any	
Third inventor's signature	Date
Residence	
Citizenship	
Mailing Address	

Full name of fourth inventor, if any	
Fourth inventor's signature	Date
Residence	
Citizenship	
Mailing Address	



#



PTO/SB/122 (06-03)  
Approved for use through 11/30/2005. OMB 0651-0035  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>CHANGE OF CORRESPONDENCE ADDRESS Application</b>  Address to: Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	Application Number	09/012,362
	Filing Date	January 23, 1998
	First Named Inventor	Duan-Cheng Hsieh
	Art Unit	2875
	Examiner Name	Laura K. Tso
	Attorney Docket No.	04046/0201139-US0

Please change the Correspondence Address for the above-identified application to:				
<input checked="" type="checkbox"/>	Customer Number:	07278		
OR				
<input type="checkbox"/>	Firm or Individual Name	Alphonso A. Collins DARBY & DARBY P.C.		
Address		P.O. Box 5257		
City	New York	State	NY	Zip 10150-5257
Country	US			
Telephone	212.836.3726	Fax	212.753.6237	
<p>This form cannot be used to change the data associated with a Customer Number. To change the data associated with an existing Customer Number use "Request for Customer Number Data Change" (PTO/SB/124).</p> <p>I am the:</p> <p><input type="checkbox"/> Applicant/Inventor</p> <p><input checked="" type="checkbox"/> Assignee of record of the entire interest. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).</p> <p><input type="checkbox"/> Attorney or Agent of record. Registration Number _____</p> <p><input type="checkbox"/> Registered practitioner named in the application transmittal letter in an application without an executed oath or declaration. See 37 CFR 1.33(a)(1). Registration Number _____</p>				
Typed or Printed Name		Lee Schaak/Chairman		
Signature				
Date	4/15/04	Telephone	212.736.4440	
NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.				
<input type="checkbox"/>	*Total of 1 forms are submitted.			